

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

KIMBERLY S. YABLONSKI,

Plaintiff,

v.

6:03-CV-414
(FJS/RFT)

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

APPEARANCES:

OF COUNSEL

AMDURSKY, PELKY LAW FIRM
Attorney for Plaintiff
26 East Oneida Street
Oswego, NY 13126

GREGORY R. GILBERT, ESQ.

HON. GLENN T. SUDDABY
United States Attorney for the
Northern District of NY
Attorney for Defendant
P.O. Box 7198
100 South Clinton Street
Syracuse, NY 13261

WILLIAM H. PEASE
Assistant United States Attorney

FREDERICK J. SCULLIN, JR., S.D.J.:

DECISION AND ORDER

Presently before the Court is Magistrate Judge Randolph F. Treece's February 1, 2008 Report-Recommendation in which he recommends that the Commissioner's decision denying disability benefits be VACATED and the matter REMANDED to the agency for further consideration. The Court having reviewed the Report-

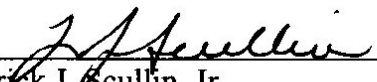
Recommendation and the entire file in this matter and no objections to said Report-Recommendation having been filed, the Court hereby

ORDERS that the Report-Recommendation filed by Magistrate Judge Randolph F. Treece on February 1, 2008, is, for the reasons stated therein, **ACCEPTED** in its entirety; and the Court further

ORDERS that the Commissioner's decision denying disability benefits is **VACATED** and the matter is **REMANDED** to the agency for further consideration.

IT IS SO ORDERED.

Dated: May 20, 2008
Syracuse, New York



Frederick J. Scullin, Jr.
Senior United States District Court Judge